The Dilo Cribune.

PRIDAY, . AUGUST 14, 1903.

waii, as second-class matter

PURLISHED EVERY PRIDAY. W. HAWORTH - - Editor.

GARBAGE RATE RAISED. One of the complications of the "best government on earth" and an example of administration, which would be a star attraction in a matters as well as others, the centralized government at Honolulu never has paid particular attention to Hilo. The Board of Health which went mad and expended hoarded riches in Honolulu gave Hilo nothing. Those were strenuous times and Hilo demanded rews with commendable spirit on one hand and with an eye upon an opportunity to expand the scope of his office on the other, tackled the job. He uses wagons, carts and harness of his own, and prison labor. effect that the United States statue Each store or lot or house, served by Andrews' carts is taxed from 50 it a misdemeanor for clergymen to cents to \$4.00 per month. The neglect to register marriages they garbage is carted to lands leased by solemnize, applies to this Territory.

from \$225 to \$250 per month. The

of this peculiar system. For in- T. J. Ryan, E. W. Barnard, C. R. stance, heretofore the government Blacow, I. E. Ray, W. C. Cook, provided two lunas to guard the Thos. Cook, Jack Easton, or Ben government prisoners who worked Brown or Capt. Lake or any of a This arrangement is just what supported." in Andrews' private garbage depart- score or two more whose sterling might be expected in the light of "It is absolutely impossible for ment. These were cut out by the qualities and manly virtues are the circumstances and the relations me to believe the testimony of Mr. last legislature. Now comes a household words with all Republi- of the parties and harmonizes with Magoon when he swears that he notice from the Sheriff that the cans. And any of whom if nominatmonthly stipend for hauling gar- ed at the Republican County Conbage is to be doubled, taking effect vention would be elected. August 1. This will swell the Sheriff's revenues to from \$450 to

on earth" leaves much undone.

against a doubling of the fee. But certain defeat. this cannot be attributed to any thing but the laudable determination of the people of Hilo to keep the town sanitary no matter what the cost. They would rather pay for a dozen lunas for Andrews than to perish from the neglect that would result if dependence were placed in the powers at Honolulu. Precinct."

But the query that comes to most people, who know how agile Andrews can be in circumventing statutory obstacles, when he desires to at Papaikou school, Papaikou, on Friday raise a policeman's pay above the August 28, 1903, at 7:30 o'clock p. m., for legal limit, or when he wants to re- the purpose of filling vacancies in said tain a friend on the pay roll, or if Precinct Club and making nominations not a friend, then the son of a friend. The query raised is why Andrews at a Primary Election to be held in said does not exercise his agility in pay- Precinct on Saturday, August 29, 1903 being his lunas out of the police fund. tween the hours of 2 and 8 o'clock p. m. Or he might make them secret ser- at the Papaikou school, Papaikou. vice men. Andrews surely has many old and well worn schemes to have his lunas paid out of the public pay roll. But he chooses to raise the rate 100 per cent.

split the opposition. They want crowd that has yet attended the grounds Sheriff. The more in the field, the Andrews minority will win. With the box for the visitors and Vannatta for only two tickets on deck, nobody the home team. The score stood three to mighty deep game they are playing Specials. hardly wade through.

OVERSMART WORDS

white blood in their veins, they hate the haole as the devil hates holy Entered at the Postoffice at Hilo, Ha- water," is an expression of opinion decisions by the Supreme Court in between them to its 'full extent' character and disposition of the Ha- to Humphreys and Thompson. freak museum, is the Hilo garbage of the Herald writer than in the to Sumner in the prior litigation." connection with the former." system. Our system grew up from minds and hearts of the Hilo half- With regard to the contention of The majority of the court susthe fact of necessity. In sanitary whites. There is a disposition respondents that in the prior litiga- pended Thompson one year on the

creed or nativity. constantly insulting the worthy Ha- fact, were guilty of great reckless- that Humphreys did try to induce nations for members of the County Comsanitary precautions. Sheriff And- waiian with foolish words and hasty ness in assisting and participating him to betray Sumner; Humphreys mittee. Ten County Committeemen to AUCUST 28, 1903

CLERGYMEN RESPONSIBLE.

Assistant Attorney General Fleming has rendered an opinion to the relating to territories, which makes the Sheriff. Such wastage as is fit The maximum penalty is two years' for the purpose is fed to hogs which imprisonment and a fine of \$1,000. the Sheriff has installed at the District Attorney Breckons does not dumps. The proceeds from fees intend to look back for cases to from property owners amounts to prosecute.

fundamental objection to the system | SINCE the Herald declares there is that it is a public service per- is no man competent for Sheriff but formed by a private individual Andrews, and Stacker is his prophet, with no check or regulation save then indeed, the population in this his own whims. It is a service neck of the woods must be a heap that should be performed under of rubbish. But Stacker is wrong. the direction of the Board of Here is a random list of good Health and paid for out of Board of staunch oak timber and the num-Health appropriations. It would be rould be multiplied by four. Will be just as reasonable for the people the Herald point an accusing finger of Hilo or any other town to make at their flaws? Take for instance, phrey's repudiation. On this point against the respondent Hemphreys, up private purses and engage con- Geo. H. Williams, R. D. Junkin, tractors to build bridges and grade Wm. Todd, Capt. Fitzgerald, Peter streets. But the "best government Lee, Paul Jarrett, L. Severance, A. Fernandez, E. E. Richards, Joe Peculiar complications grow out Vierra, Wm. Vannatta, F. Souza,

\$500 per month and enable him to the TRIBUNE may find itself should supposed to exist between attorney strain the sale of land or an action hire first class lunas to guard his not worry the Herald so much. It and client, adding: would be more sincere if it con-The merchants and property sidered the awkard position in ness in the relationship of attorney 'next morning,' when he looked at owners of Hilo do not object to this which the Republican party will and client. It is clear that in this the record, 'and found out that it service. It has been done well. find itself should it attempt to carry case the relationship of the respond. was the application or effort of Mrs. There have been but few kicks a candidate who would ride it to ents to Sumner were such as to

> As Frank Thompson would say: that majority decision?

Fifth Precinct Republican Club.

To all members of the Fifth Precinct Club and all Republicans of the Fifth

All Republicans resident in the Fifth for members of the County Committee. One County committeeman to be elected

> W. C. COOK. President. DAV. BUTCHART, Secretary.

Papaikou, Aug. 12, 1903.

Good Base Ball.

The two league games at the base ball THE Herald-Andrews plan is to park last Sunday called out the biggest at least 13 dozen candidates for The spectators were given the best and livliest ball playing of the year.

6 to 5 in favor of Kilauea.

WHERE WAS THE PERFIDY.

"Take even those men with Both Sides in the Disharment Decision.

by the editor of the Herald in his the disbarment cases will give the and the evidence wholly fails to Precinct, or that portion of Hilo tying last weeks deluge of watery stuff readers of the TRIBUNE a clear show that by reason of their connec- between Pana and Ponahawai street and under the coffee shop caption. A view of the attitude of the court, tion with the guardianship case road, and the line of its extension to the greater misrepresentation of the Frear and Perry said with reference they obtained any secrets or special sea, are requested to attend a meeting at

waiian could not be condensed into "The conduct of the respondents, Sumner in the Ropert case. There at 7:30 o'clock p. m., for the purfewer words. The work now going though subject to criticism in several was no betrayal of confidence, for pose of organizing a Precinct Club, on in the informal caucuses of the other respects, was improper, if at Sunmer reposed no confidence in to be known as the Third Precinct Home Rule and Rupublican parties all, in that case, so far as the charge either of them, nor does it appear Club, and for making nominations for if caged and placed on exhibition proves that predjudice and race susnow under consideration is conthat they gained any advantage in County Committee. Six
County Committee. picion are more potent in the brain cerned, because of their relations the latter suit by reason of their Primary Election to be held within said

> fund without so much as looking believed Magoon and say: ted such distribution.

their relations to him in the earlier. one conclusion-disbarment."

ing of Humphreys, Thompson & point: Watson is reviewed. Mr. Humthe fee was false, was apparent, the constructive knowledge. the opinion concludes:

make it improper for them to take sides against him in immediately subsequent proceedings respecting believed he entertained the proposi-Did you notice how Justice Gal- the same matter. If their relation- tion made to him by the respondent braith cleared the lantana out of ship were that of attorney and client to its fullest extent, there could be but one conclusion as stated by Mr. rejected it. Does this not make J. Humphreys at the hearing-that of Alfred Magoon equally guilty with disbarment. Under the circum- the respondent? Under the law the would be sufficient. What the pen-Precinct or that portion of North Hilo alty should be will depend to some between Honolii stream and Kawainni extent upon the nature of the settle- by disbarring the respondent and by gulch, are requested to attend a meeting ment. In our opinion it is an ag- giving Magoon a certificate of chargravating circumstance that the respondents knew or ought to have the tempter? Not by the standard known that the settlement was announced by the Supreme Court of understood to be in full and that Colifornia in the cases above cited. Sumner was to have the remaining \$48,025 absolutely. For the respondents to take a position against Sum- on the evidence offered in support of gard of the requirements of profes- pronounce judgment of disbarment sional ethics.'

said:

judgement pronounced in the foregoing opinion, although I do concan be properly charged with tur- or the evidence.'

pitude for so doing. It is not found Headquarters Hile Republican Prethat there was any contractual relations existing between Sumner To all Members of the Hilo Republicant and the respondents or that the re-The following extracts from the lation of attorney and client existed information that was used against Road, on Friday, August 28, 1903.

among the leading Home Rule tion they represented the Ellises above count and says that the penal-Hawaiians of Hilo to meet the Re- alone and not Sumner at all, the ty of Humphreys would be no less Precinct, or that portion of Hilo lying publicans half way and to name court is of the opinion their rela- on this charge. But, says the between the Third Precinct and the Ho County officers with an eye to fit- tions to Sumner were closer than court, a graver charge is made notii stream, are requested to attend a ness rather than party affiliation, that and, besides, that they were against Mr. Humphreys, that of meeting at the Firemen's Hall, Hilo, on not true to the clients whom they attempting to persuade Mr. Magoon p.m., for the purpose of filling vacancies Its the oversmart haole that is peculiarly claimed as their own-in to betray his client. Magoon said in said Precinct Club and making nomiin the distribution of the trust said that he did not. The majority be elected at a Primary Election to be held in said precinct on Saturday, August

certain whether their terms permit- dence, is guilty of having attempt- at Hilo. ed to induce Mr. Magoon to betray "The gravamen of the charge is his client-an aged credulous man that they acted first for Sumner easily imposed upon and of whom and then against him in respect of others, as Mr. Humphreys knew. the same matter, even if their ac- had previously taken advantage. tions in either capacity alone In order to accomplish this he urged would be above criticism," the considerations of personal friendcourt observes and then proceeds, ship, resorted to threats, and sugthere being no dispute as to their gested large booty. 'What do we In the Circuit Court, Fourth Circuit, Territory of Hawaii, United States appearance against Sumner in the care for Sumner, let him go, all we latter proceedings," to examine care for is our fees.' There is but

The testimony as to the retain- Justice Galbraith says on this

"I concur in the finding of the phreys said he was retained by the court that under the law there is no three Ellises, but that he expected difference in the degree of guilt of his fee to come out of the fund, the respondents on this charge-That the testimony of the Ellises they both are equally guilty, al- fore this Court on the 8th day of Septemthat they themselves were to pay though one had actual and the other

court says, even without Mr. Hum- "While the individual charge and of which the court finds him "There is no doubt as to Mr. guilty, namely, of 'attempting to Highton's understanding, and that persuade' J. Alfred Magoon to bewas that the firm of Humphreys, tray his client, John K. Sumner, is Thompson & Watson were then ep- a very grave one, I find great diffigaged by the Ellises and Sumner culty in considering it seriously on together, although particularly at account of the character of the evithe request or desire of the Ellises, dence by which it is found to be

the subsequent acts of all parties." 'sat beside Geo. A. Davis, attorney that the respondents did not con- afternoon and prompted him,' and sider that their relations with Sum- still did not know whether the cause THE awkward position in which ner were fully all that are usually on trial was a suit in equity to rein probate to declare John K. Sum-"There are all degrees of close- ner non compos mentis, until the under guardianship as a person non

'Again, if Mr. Magoon is to be to the extent of submitting it to his client and the venture was not successful for the reason that the client stances, something short of that seducer and the seduced are equally infamous. (In re Cowdery, 69 Cal.

32 and In re Whittemore, Id. 67.) "Will justice be done in this case acter for the virtuous indignation he did not show when approached by

"In concluding this discussion I feel justified in stating that I would not convict a cat of stealing cream ner afterwards in opposition to that this individual charge against the understanding shows greater disre- respondent, Humphreys, much less against an attorney who has spent the best years of his life in qualify-On this point Justice Galbraith ing himself to adorn the profession, who has heretofore borne an honora-"I am compelled to dissent from ble name in the community, and many of the findings made and the who has been entrusted with high judicial position in this Territory by

the President of the United States. "It would be useless to state what cur in the finding that the respond- punishment to me would seem The first game was between the Olaas ents were guilty of professional mis- proper under the charge that has more certain it is that the Herald- and Beamer's Specials with Williams in conduct and impropriety in appear- been proven against the responding against John K. Sumner in the ents, but I will state that, in my opinion, the judgment of the court would bet on Andrews. Its a one at the close in favor of the Beamer Ropert suit after having appeared against the respondent, Thompson, of record for him in the guardian- is unnecessarily severe, and that The second game was between Waiakea ship proceedings. However, I am against the respondent, Hum--so deep in fact that they will and Kilsues and ended with a score of not convinced that the respondents phreys, is not justified by the law

cinct Club.

Precinct Club and to All Good Republicans of the Third and Fourth Pre-

All Republicans resident in the Third the Hoomana Nanaau Building, Puna Precinct on Saturday, August 29, 1903. the Government Warehouse at lighter

All Republicans residents in the Fourth Friday, August 28, 1903, at 7:30 o'clock 29, 1903, between the hours of 2 and 8 at the trust deed or the will to as- "Mr. Humphreys, on the evi- o'clock p.m., at the Circuit Court House

> County Convention to be held at Hilo on Monday, September 14, 1903, at Firemen's Hall.

THOS. C. RIDGWAY.

President. C. N. PROUTY, Secretary. Hilo, August 6, 1903.

LEGAL NOTICES.

of America.

IN PROBATE-AT CHAMBERS. In the matter of the Estate of JACINTHO

FARIAS, deceased. Petition having been filed by R. K. Baptist, Administrator of said estate, wherein he asks for an order to sell cer

tain real estate belonging to said estate, to pay the indebtedness of said estate, It is hereby ordered, that the next of kin of the said deceased, and all persons interested in the said estate, appear beber, 1903, at 9 o'clock a. m., at the Courtroom of this Court, in South Hilo, then and there to show cause, if any they have, why an order should not be granted for the sale of such estate. Hilo, Hawaii, Aug. 13, 1903.

By the Court: CHAS. HITCHCOCK, Deputy Clerk, Fourth Circuit.

Attorneys for Administrator. 41-3

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can Precinct Club throughout the Territory of Hawaii is hereby called for

FRIDAY

at its place of meeting, at 7:30 o'clock P. M. or at such time and place, on said 28th day of August, 1903, as the President of each Precinct Club may name in a public notice, to be printed in one or more newspapers, or posted in a pub-lic place, one week in advance of such meeting, for the purpose of filling vacancies in said Precinct Clubs and making nominations for the members of the County Committee. Primary Election will be held on

SATURDAY **AUCUST 29, 1903**

from 2 o'clock P. M. to 8 o'clock P. M. to elect members of said County Com mittee, under the rules and regulations of the Republican Party of the Territory of Hawaii, said County Committee to meet and elect an Executive Committee and nominate County officers on

SEPTEMBER 14, 1903

at 7:30 o'clock P. M. The number of Delegates to which each precinct is entitled in each County is as follows:

COUNTY OF EAST HAWAII

First Representative District-HILO, PUNA, HAMAKUA:

1st Precinct, Delegates 7th toth

Total Delegates East Hawaii...31

COUNTY OF WEST HAWAII

Second Representative District-NORTH AND SOUTH KOHALA NORTH AND SOUTH KONA

AND KAU: 1st Precinct, Delegates 10

Total Delegates West Hawaii .. 32

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